

中国民用航空局与 香港特别行政区政府民航处 澳门特别行政区政府民航局 关于相互接受适航证的合作安排

中国民用航空局、香港特别行政区政府民航处和澳门特别行政区政府民航局(下称三方主管当局),

鉴于:

- 三方主管当局认为,另外两方有关航空器适航审定的标准和系统和本方的标准和系统充分相当,使得制定合作安排是可行的;和
- 三方主管当局希望,制定和实施航空器适航审定程序,就航空器从另外两方管辖租赁或者从另外两方注册转移的情况,承认对该航空器的适航审定,以最大程度地承认另外两方在其管辖区内为批准该航空器所做的技术评估、试验结果、检查、制造符合性声明、制造符合性标记和颁发的证件;和
- 为了提高航空安全和环境保护的共同利益,促进三方主管当局在达到共同的安全目标,建立和保持与另外两方

尽可能相似的适航标准和审定系统,以及减轻航空工业界和运营人由于重复的技术评估、试验和检查所带来的经济负担领域的合作和支持;

在对某些原则和合作已经达成一致的前提下,为了以下目标:

- 有助于接收当局就航空器从另外两方管辖转移或者从另外两方注册转移的情况,对该航空器的适航审定;
- 为了上述目标和三方主管当局共同的利益,并且有助于对航空器设计、生产全球合作趋势和航空器互换的适航管理,在三方主管当局之间制定程序;
- 开展以保持安全质量为目标的合作;

三方就以下内容达成一致意见:

1 定义

在本合作安排中:

“当局”是指负责航空器适航审定管理的政府机构。

“转移”是指航空器从一个当局取消注册,再到另一当局注册的活动。

2 适用性

本合作安排适用于接收当局已经颁发了型号批准的航空器。

3 适航证的接受

3.1 对于第2节中所述的从另外两方管辖租赁的或者从另外两方注册转移的航空器,接收当局应尽其努力接受另外两方为颁发适航证所做的技术评估、确认、试验和检查,给予相等效力,如

接收当局自己所做的一样。

3.2 视具体情况,任何一方保留不接受另外两方为颁发适航证所做的技术评估、确认、试验和检查的权利。

4 相互间的合作和协助

4.1 任何一方应将所有相关的适航法律、规章、标准和要求以及其适航审定程序通知另外两方。

4.2 任何一方应尽早将对适航审定标准的重大更改建议通知另外两方;给另外两方提出意见的机会并且对另外两方关于更改建议的意见予以适当的考虑。

4.3 任何一方应尽早将对本合作安排涵盖的航空器适航审定程序的更改提议通知另外两方。

4.4 三方主管当局应相互提供适当的技术评估协助。

5 不符合性的通知

任何一方应:

a. 在知道已经租赁出的航空器型号或者已经从航空器注册方转移的航空器型号的航空器对任何合格审定规章或者要求有严重不符合性时,通知另外两方;和

b. 及时通知另外两方对已经租赁进的航空器或者已经转移到航空器注册方的航空器已开展的调查或者已采取的强制措施。

6 解释

对于由接收当局规定的、与根据本合作安排的接受相关的适

航准则有不同解释的情况,以接收当局的解释为准。

7 执行

7.1 三方应致力于制定本合作安排的实施程序的细则。

7.2 三方就该细则达成一致意见后,应根据其条款实施本合作安排。

7.3 三方应不时共同评审该细则,并且可以通过书面协议适当修订该细则。

8 生效

本合作安排在三方签字后生效。

9 终止

任一方可随时通知另外两方其终止本合作安排的决定。除非该终止日期到期前三方一致同意撤回终止通知,否则本合作安排将在另外两方收到该通知之日起12个月后终止。

签名及签署日期

代表中国民用航空局

張紅鷹

2009.05.13

中国民用航空局航空器适航审定司司长

代表香港特别行政区政府民航处

羅崇文

13-5-2009

香港特别行政区政府民航处处长

代表澳门特别行政区政府民航局

陳穎耀

13.05.2009

澳门特别行政区政府民航局局长

**COOPERATION ARRANGEMENT
ON MUTUAL ACCEPTANCE OF
CERTIFICATES OF AIRWORTHINESS
BETWEEN
CIVIL AVIATION ADMINISTRATION OF CHINA,
CIVIL AVIATION DEPARTMENT, HONG KONG, CHINA AND
CIVIL AVIATION AUTHORITY – MACAO, CHINA**

The Civil Aviation Administration of China (CAAC), the Civil Aviation Department, Hong Kong, China (CAD), and the Civil Aviation Authority – Macao, China (AACM), hereinafter referred to as the Authorities,

whereas

- each Authority has determined that the standards and systems of the other Authorities for the airworthiness certification of aircraft are sufficiently equivalent to its own to make a cooperation arrangement practicable; and
- each Authority wishes to develop and employ procedures for granting airworthiness certification of aircraft leased from a person under the jurisdiction of, or aircraft transferred from the aircraft register of, the other Authorities so as to give as much recognition as practicable to technical evaluations, test results, inspections, conformity statements, marks of conformity and certificates issued by the other Authorities in granting its own local certification of such aircraft; and
- in the interest of promoting aviation safety and preservation of the environment with a view to fostering cooperation and assistance between the Authorities in achieving common safety objectives, establishing and maintaining airworthiness standards and certification systems which are as similar to those of the other Authorities as practicable and cooperating in the reduction of the economic burden on aviation industries and operators arising from repetitive technical evaluations, tests and inspections;

therefore, having agreed on certain principles and arrangements in order to:

- facilitate the airworthiness certification by the receiving Authority of aircraft leased from a person under the jurisdiction of, or aircraft transferred from the aircraft register of, another Authority;
- provide for the development of procedures between the Authorities for these purposes and for facilitating management of the emerging trend toward worldwide design, manufacture, and interchange of aircraft involving the joint interests of the Authorities in airworthiness certification;
- provide for cooperation in sustaining safety quality objectives;

the Authorities agree as follows:

1 **Definitions**

For the purpose of this Cooperation Arrangement:

"**Authority**" means the government organisation responsible for regulating the airworthiness certification of aircraft.

"**Transfer**", in relation to aircraft, means the process of deleting an aircraft from the aircraft register maintained by one Authority and entering it in the aircraft register maintained by another Authority.

2 **Applicability**

This Cooperation Arrangement applies to aircraft in respect of which the type approval has been issued by the receiving Authority.

3 **Acceptance of Certificates of Airworthiness**

3.1 For an aircraft prescribed in paragraph 2 leased from a person under the jurisdiction of, or transferred from the aircraft register of, another Authority, the receiving Authority shall use its best endeavours to give the same validity to the technical evaluations, determinations, tests, and inspections

about the certificate of airworthiness concerned made by such other Authority as if the receiving Authority had made them itself.

- 3.2 Any Authority reserves the right not to accept the aforesaid technical evaluations, determinations, tests and inspections about a certificate of airworthiness issued by another Authority in appropriate cases.

4 Mutual Cooperation and Assistance

- 4.1 Each Authority shall apprise the other Authority of all its relevant airworthiness laws, regulations, standards and requirements, and of its airworthiness certification procedures.
- 4.2 Each Authority shall as soon as practicable notify the other Authorities of proposed significant revisions to its standards for airworthiness certification; offer the other Authorities an opportunity to comment and give due consideration to the comments made by the other Authorities on the intended revisions.
- 4.3 Each Authority shall as soon as practicable notify the other Authorities of proposed revisions to airworthiness certification procedures for aircraft covered by this Cooperation Arrangement.
- 4.4 The Authorities shall provide to each other such technical evaluation assistance as they agree is appropriate.

5 Notification of Non-conformity

Each Authority shall:

- a. notify the other Authority when a serious non-conformity by any aircraft of which the aircraft type has been leased out or transferred from its aircraft register with any certification regulations or requirements is known; and
- b. promptly advise the other Authority of any investigation or

enforcement action in respect of aircraft leased in or transferred to its aircraft register.

6 Interpretation

In the case of conflicting interpretations of the airworthiness criteria prescribed by the receiving Authority pertaining to acceptances under this Cooperation Arrangement, the interpretation of the receiving Authority shall prevail.

7 Implementation

7.1 The Authorities shall endeavour to develop a schedule of implementation procedures for this Cooperation Arrangement.

7.2 When such a schedule has been agreed between the Authorities, this Cooperation Arrangement shall be implemented in accordance with its provisions.

7.3 The Authorities shall jointly review such schedule from time to time and may amend it as appropriate by written agreement.

8 Entry into Force

This Cooperation Arrangement shall enter into force upon signature by the Authorities.

9 Termination

Either Authority may at any time give notice to the other Authorities, of its decision to terminate this Cooperation Arrangement. The Cooperation Arrangement shall terminate twelve months following the date of receipt of the notice by the other Authorities, unless the said notice of termination has been withdrawn by mutual agreement before the expiry of this period.

Signed in (Macao, China) on (13 May 2009) on behalf of Civil Aviation Administration of China

張紅鷹

Director General of Aircraft Airworthiness Certification Department, Civil Aviation Administration of China

and on behalf of Civil Aviation Department of Hong Kong, China

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[Signature]

Director-General of Civil Aviation, Civil Aviation Department, Hong Kong, China

and on behalf of Civil Aviation Authority of Macao, China

[Signature]

President of Civil Aviation Authority Macao, China